

REMARKS

On page 2 of the Office Action, claim 154 was objected to under 35 USC 1.75(c) as of being improper dependent form. Applicants have amended claim 154 for clarification purposes, namely to state the features of claim 1 in claim 154 rather than merely referring to claim 1. Thus, no new matter has been added. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection.

On page 2 of the Office Action, claims 154, 156 and 152 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants have amended claims 152 and 154 for clarification purposes, namely to state the features of claim 1 in the claims rather than merely referring to claim 1. Thus, no new matter has been added. Applicants note that amended claim 152 is now in independent form whereas claim 154 remains in dependent form. Applicants also contend that there is support for the terms in claim 156. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

On page 3 of the Office Action, claims 145-151, 153, 155, 157-166 were rejected under 35 U.S.C. 103(a) as being unpatentable over Osborn, III et al., U.S. Patent No. 5,647,862 (“Osborn”). Applicants respectfully disagree with the rejection. Applicants submit that Osborn does not teach or suggest a distribution layer that is as effective as the bundle of essentially parallel capillary channel fibers of the present invention. Although there are liquid-transporting layers that move fluids by capillarity in Osborn, Applicants submit that such layers are not as efficient. In fact, Applicants submit that it is the bundle of essentially parallel fibers that make the present invention more efficient and effective at moving the fluids. Although Osborn in column 8, lines 64-67 and column 9, lines 1-11 discloses that capillary channel fibers are among

the materials that can be used for the liquid transporting layer, Applicants point out that there is no teaching or suggestion in Osborn of the use of an essentially parallel bundle of fibers.

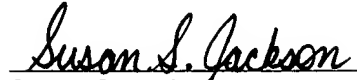
Therefore, Applicants submit that there is no teaching or suggestion in Osborn of the surprisingly more effective and efficient liquid transport achieved with such bundle. Applicants contend that one of ordinary skill in the art would not find the invention obvious in view of Osborn.

Furthermore, it is improper to rely upon Applicants' own specification for such teaching or suggestion. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

Attached hereto is a marked-up version of the changes made to the claims by current amendment. The enclosed page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance and reconsideration is requested. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,



Susan S. Jackson
Registration No. 41,302
Kennedy, Covington,
Lobdell & Hickman, L.L.P.
NationsBank Corporate Center
Suite 4200
100 North Tryon Street
Charlotte, NC 28202-4006
(704) 331-7400
-- Attorney for Applicants

Enclosures:

Version with markings to show changes made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

152. (Amended) A liquid acquisition/distribution structure comprising:

- (1) a top layer that is permeable to a liquid,
- (2) a distribution layer comprising a capillary system providing capillary forces on the liquid when the liquid is in contact with said distribution layer tending to transport the liquid parallel to said top layer, and
- (3) a resistance layer having a resistance layer top surface and a resistance layer bottom surface, said resistance layer provides resistance to transmission of the liquid from said resistance layer top surface to said resistance layer bottom surface;

[The structure according to claim 145] wherein said capillary system comprises a [bundle of fibers of claim 1] bundle of synthetic fibers for transporting aqueous fluids comprising at least two fibers in a bundle, at least one of said two fibers having a non-round cross-section and a Single Fiber Bulk Factor greater than 4.0 and said bundle having

- (A) a Specific Volume greater than 4.0 cc/gm,
- (B) a MPF_B/MPF_{SF} greater than or equal to 3.0,
- (C) a MPF_B greater than or equal to 0.14 cc/(den*hr);

wherein said bundle is arranged so that in a region their axes are essentially parallel to said top layer.

154. (Amended) The structure according to claim 145 wherein said capillary system comprises a [bundle of fibers of claim 1] bundle of synthetic fibers for transporting aqueous fluids comprising at least two fibers in a bundle, at least one of said two fibers having a non-round cross-section and a Single Fiber Bulk Factor greater than 4.0 and said bundle having

(A) a Specific Volume greater than 4.0 cc/gm,

(B) a $\text{MPF}_B/\text{MPF}_{SF}$ greater than or equal to 3.0,

(C) a MPF_B greater than or equal to 0.14 cc/(den*hr);

wherein said bundle is arranged so that in a region their axes are essentially parallel to said top layer.